



**HON. SYLVIA O. HINDS-RADIX**  
*Corporation Counsel*

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

**KELLYANNE HOLOHAN**  
*Assistant Corporation Counsel*  
Tel.: (212) 356-2249  
Fax: (212) 356-3509  
kholohan@law.nyc.gov

March 20, 2023

**BY HAND DELIVERY**

Honorable Edward R. Korman  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Shaunda Phillip v. City of New York et al.,  
21-CV-6599(ERK)(PK)

Your Honor:

I am the attorney in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. Pursuant to Your Honor's Individual Rules of Practice, enclosed please find a courtesy copy of the fully briefed motion to dismiss pursuant to Federal Rule of Civil Procedure 12, specifically please find:

**Defendant's Motion:**

- Defendant's Notice of Motion;
- Defendant's Memorandum of Law;
- Declaration of KellyAnne Holohan in Support of Defendants' Motion to for to Dismiss
- A CD, labelled Phillip v. City of New York Def. Mtn. Ex. A Rodriguez BWC 21-CV-6559, containing Exhibit A, Body Worn Camera Footage of Non-Party Officer Benjamin Rodriguez annexed to the Holohan Decl.

**Plaintiff's Opposition:**

- Plaintiff's Memorandum of Law
- Plaintiff's Exhibit B. – Aided Report:
- A CD, labelled Phillip v. City of New York Pl. Opp. 6 BWC Videos 21-CV-6559, containing the six body worn camera videos which reads:
- Plaintiff's Bundling Rule Letter to City

Defendant's Reply

- Defendant's Reply

Defendants thank the Court for its consideration herein.

Respectfully submitted,

*KellyAnne Holohan* /s/

KellyAnne Holohan

*Assistant Corporation Counsel*

Special Federal Litigation Division

Encls.

cc: **By ECF**  
Honorable Peggy Kuo  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
*Honorable Magistrate Judge (by U.S. Mail)*

Steve Newman  
Email: newmanesquire@aol.com  
*Attorney for Plaintiff (via email w/out encls.)*

Ana Maria Vizzo  
Email: avizzo@hpmb.com  
*Attorney for Plaintiff (via email w/out encls.)*